

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

DOCKET NO. 3:11CR373-FDW

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
v. )  
)  
NASSER KAMAL ALQUZAH (10), )  
)  
Defendant. )  
\_\_\_\_\_)  
PETITION OF MAY S. HASSOUNEH )  
\_\_\_\_\_)

**ORDER  
(BY CONSENT)**

THIS MATTER is before the Court on the government's consent motion to approve a settlement of all remaining forfeiture matters with regard to this third-party petition.

The petition asserted an interest in properties subject to forfeiture under the Preliminary Order filed on February 10, 2014, (Doc. 446), and the Court's Order filed on March 13, 2015, (Doc. 565), which granted the government's motion for partial summary judgment. In the summary judgment Order, the Court recognized Petitioner's partial interests in three assets, consisting of two real properties in Kentucky and one bank account in South Carolina, and provided for a determination of the value of those interests by a hearing, if necessary, or by stipulation of the parties.

The parties have agreed to settle all issues regarding the assets listed below and to stipulate the values of Petitioner's partial interests in three of the assets. The Court has reviewed the terms of the settlement, finds those terms to be appropriate under the Court's previous orders, and hereby incorporates the settlement into this order, as provided below.

IT IS THEREFORE ORDERED:

1. Disposition of assets:

**First**, any and all net proceeds received for the following six assets, as identified in the Preliminary Order of Forfeiture (Nunc Pro Tunc) filed on February 12, 2014 (Doc. 446), following final forfeiture and sale or liquidation of these assets by the Marshals Service, shall be paid to the government (or to any secured creditor or other third party petitioner, if and to the extent applicable):

Financial accounts.

1. First Federal Charleston xxxxxx8483 (amount seized \$1755.93).

...

4. First Federal Charleston xxxxxx1906 (funds transferred from xxxxx1782) (approximately \$8228.34).

...

6. Wells Fargo xxxxxxxxxx2464 (amount seized \$213.69).

...

The following real property (or a substitute *res*, if applicable).

1. 1609 Oakhurst Dr., Mt. Pleasant, SC (subject to the Court's order filed on April 30, 2015, Doc. 569).

...

4. Any surplus proceeds following foreclosure by Wells Fargo Bank, N.A., on 3724 Covenant Road, Columbia, SC, as a substitute *res* for that property.

Financial accounts owned or controlled by defendant.

...

2. Wells Fargo xxxxxxxxxx8779.

**Second**, as to the remaining three assets (as identified in the preliminary order) claimed by Petitioner, following final forfeiture and sale or liquidation by the Marshals Service, the value of Petitioner's interest shall be paid to Petitioner as follows:

Financial accounts.

...

5. First Federal Charleston xxxxxx8587.

Petitioner shall be paid the sum of \$1,644.76 or one-half of the account balance as of the date of the Court's order, whichever is greater.

...

The following real property (or a substitute *res*, if applicable).

...

2. 337 Whitfield Dr., Lexington, KY.

3. 1479 Boardwalk, Lexington, KY.


As to each of these Kentucky properties, Petitioner shall be paid one-third of the net proceeds due to the seller following final forfeiture and sale or liquidation by the Marshals Service.

2. Petitioner shall cooperate with the Marshals Service in the sale or liquidation of these properties, including, if requested, by execution of a quitclaim deed or any other document which may be required for purposes of conveying good title or obtaining title insurance.

3. In consideration of the amounts to be paid to Petitioner as provided herein, Petitioner has waived any and all rights of appeal.

4. Each party shall bear its own costs in this ancillary forfeiture proceeding, including attorney fees.

IT IS SO ORDERED.

  
Frank D. Whitney  
Chief United States District Judge

